

**REMARKS**

**I. INTRODUCTION**

Applicants thank the Examiner for the indication in the Non-Final Office Action dated May 8, 2009 (the “Office Action”) that claims 4-6 contain allowable subject matter, and would be allowable if rewritten in independent form. (See Office Action, p. 5).

Independent claims 1, 13, 25 and 37 have been amended to incorporate at least similar subject matter indicated as being allowable as recited in claim 4. In addition, claims 5 and 6 have been rewritten in independent form to include the subject matter of previously-submitted independent claim 1. New claim 42 has been added to include subject matter similar to that removed from now-presented independent claim 5 and included in amended independent claim 1. New independent claims 43 and 44 have been added to recite systems and include the subject matter of now-independent claims 5 and 6, respectively. New claims 45-47, which depend from new independent claim 43, and new claims 48-50, which depend from new independent claim 44, have been added to include the subject matter of claims 8, 10, and 40 and/or 41, respectively. New claim 51, which depends from claim 39, has been added to include the subject matter of claims 2 and/or 3. Claim 4 has thus been cancelled, without prejudice. Therefore, as claims 14-24 and 26-36 have previously been cancelled, claims 1-3, 5-13, 25 and 37-51 are now currently under consideration in the above-identified application. Provided above, please find a claim listing indicating the current amendments on separate sheets so as to comply with the requirements set forth in 37 C.F.R. § 1.121. It is respectfully asserted that no new matter has been added.

**II. REJECTION UNDER 35 U.S.C. § 103(a) SHOULD BE WITHDRAWN**

Claims 1-3, 7, 13, 25, 37 and 39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Japanese Patent No. 61198043 to Imahori (the “Imahori Patent”) in view of U.S. Patent No. 6,700,375 to Machida et al. (the “Machida Patent”). Claims 8-12 and 38 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the Imahori Patent and the Machida Patent, and further in view of Jenson et al., *Magnetic Resonance in Medicine*, vol. 46, pp. 159-165 (2001) (The “Jenson Publication”).

Applicants respectfully assert that the rejection of claims 1-3, 7-13, 25 and 37-39 under 35 U.S.C. § 103(a) should be withdrawn for at least the following reasons.

Independent claims 1, 13, 25 and 37 have been amended to incorporate the same or similar subject matter of previously-presented claim 4, which was indicated in the Office Action as being allowable. (See Office Action, p. 5).

In particular, amended independent claim 1 now recites, *inter alia*,

a method, for obtaining a magnetic field correlation (“MFC”) of a sample using magnetic resonance imaging (“MRI”) comprising:

applying two or more spin echo sequences to the sample to obtain a resultant information, wherein at least one spin echo sequence is an asymmetric spin echo sequence; and

determining the MFC as a function of at least one set of molecules provided in the sample and the resultant data,

wherein the asymmetric spin echo sequence is applied by shifting a refocusing pulse that is applied to the sample, and a first time between a rotation pulse that is applied to the sample and the refocusing pulse is not equal to a second time between the refocusing pulse and obtaining the resultant information.

Amended independent claims 13, 25 and 37 relate to system, software arrangement and method, respectively, which recite similar subject matter.

In addition, previously-pending claims 5 and 6 have been rewritten in independent form to include the subject matter of previously-pending independent claim 1 (with certain subject matter being removed from now-pending independent claim 5). Applicants note that the Examiner previously confirmed that the subject matter of previously pending claims 5 and 6 would be allowed if rewritten in independent form including the base claim and any intervening claims.

Therefore, for at least the reasons cited above, Applicants respectfully assert that the rejection under 35 U.S.C. § 103(a) of amended independent claims 1, 13, 25 and 37, and claims 2-3 and 7-12, which depend from amended independent claim 1, and claims 38-39, which depend from amended independent claim 37, should be withdrawn.

### **III. ALLOWABLE SUBJECT MATTER**

Applicants again thank the Examiner for the indication that the subject matter recited in claims 4-6 is allowable. As provided in the Office Action, these claims have been objected to as being dependent on a rejected base claim, but would be

allowable if rewritten in independent form including the base claim and any intervening claims. (See Office Action, p. 5).

As discussed above, independent claim 1 has been amended above to incorporate the subject matter previously recited in now-cancelled claim 4. Further, independent claims 13, 25 and 37 have been amended above to recite similar subject matter to that recited in amended independent claim 1. Finally, previously-pending claims 5 and 6 have been rewritten in independent form to include the subject matter of previously-pending independent claim 1 (with certain subject matter being removed from now-pending independent claim 5).

Therefore, Applicants respectfully request that the allowability of independent claims 1, 5, 6, 13, 25 and 37, and the claims which depend therefrom respectively, be confirmed in a subsequent communication.

#### **IV. NEW CLAIMS**

Claims 40-51 have been added above to recite certain subject matter which Applicant believes includes novel features and is separately patentable. Support for these new claims can be found in the originally-filed specification, drawing and claims.

In particular, new claims 40 and 41 depend from amended independent claim 1, which, as discussed above, now recites subject matter which was indicated in the Office Action as being allowable. (See Office Action, p. 5).

In addition, new claim 42 has been added to include subject matter similar to that removed from now-presented independent claim 5 and included in amended independent claim 1. Further, new independent claims 43 and 44 have been added which relate to systems and recite subject matter as provided in now-independent claims 5 and 6, respectively, which the Examiner indicated would be allowable if rewritten in independent form including the base claim and any intervening claims (*id.*).

Further, claims 45-47, which depend from new independent claim 43, and claims 48-50, which depend from new independent claim 44, have been added to recite the subject matter provided in claims 8, 10, and 40 and/or 41, respectively. Claim 51, which depends from claim 39, has been added to recite the subject matter provided in claims 2 and/or 3.


Therefore, Applicants respectfully request that the allowability of new claims 40-51 be confirmed in a subsequent communication.

**V. CONCLUSION**

In light of the foregoing, Applicants respectfully submit that pending claims 1-3, 7-13, 25 and 37-51 are in condition for allowance. Prompt consideration, reconsideration and allowance of the present application are therefore earnestly solicited. If any issues remain outstanding, the Examiner is invited to contact the undersigned via the telephone number provided below.

Respectfully submitted,

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